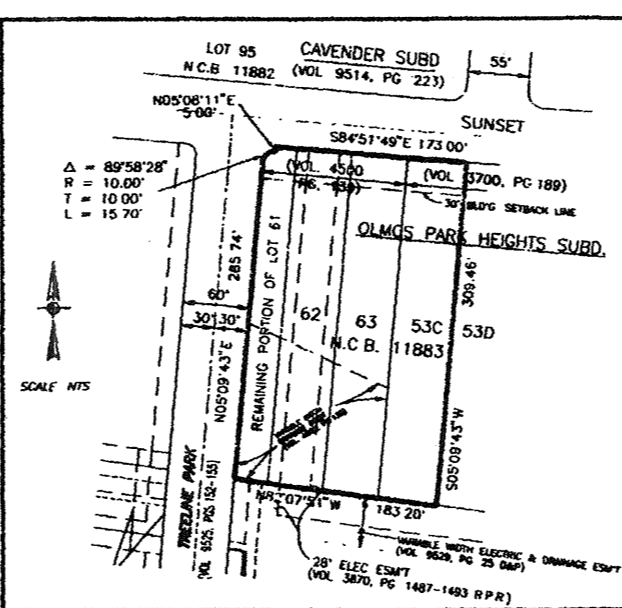


RECEIVED
04 AUG 91 AM 10:45

PLAT NO. 970033

LAND DEVELOPMENT
SERVICES DIVISION



AREA BEING REPLATTED

The area being replatted was previously platted as part of Lots 61-63, N.C.B. 11883 as recorded in the Resubdivision Plat of Olmos Park Heights, Volume 4500 page 139 of the Deed and Plat Records of Bexar County, Texas and out of Lot 3-C as recorded in the Subdivision Plat of Olmos Park Heights, Volume 3700 page 189 of the Deed and Plat Records of Bexar County, Texas.

WASTEWATER EDU. NOTE

THE NUMBER OF WASTEWATER EQUIVALENT DWELLING UNITS (EDU'S) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE PLANNING DEPARTMENT.

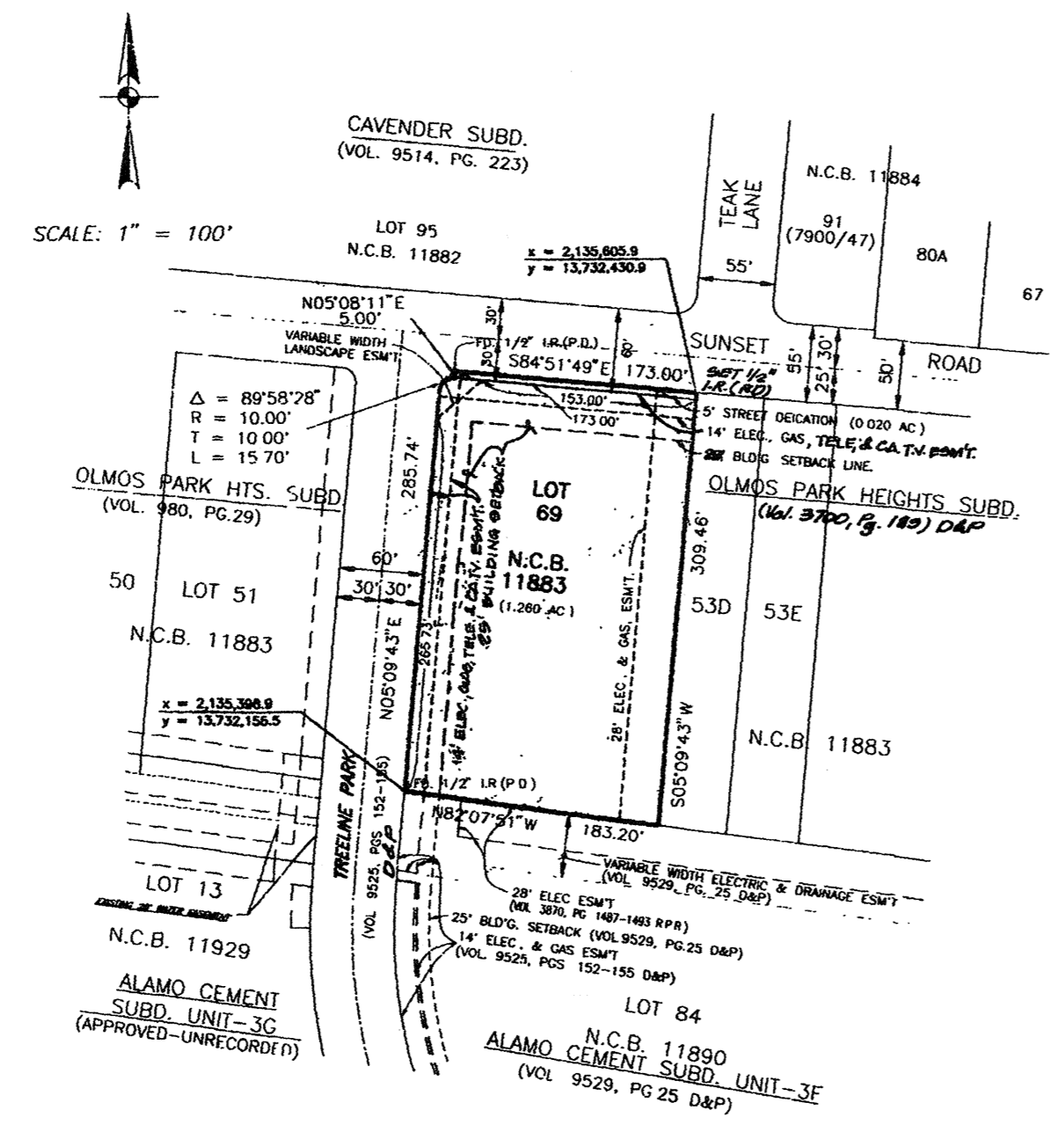
LEGEND

ELEC. = ELECTRIC
TELE. = TELEPHONE
CATV. = CABLE TELEVISION
PED. = PEDESTRIAN
ESMT. = EASEMENT

NOTE: The City of San Antonio as part of its electric and gas system (City Public Service Board) is hereby dedicating the easements and right-of-way for electric and gas distribution and service facilities as the same are depicted on this plat as "Electric Easement," "Gas Easement," "Fiber Easement," "Service Easement," "Overhead Easement," "Utility Easement," and "Transformer Easement" for the purpose of installing, constructing, maintaining, modifying, repairing, inspecting, patrolling, and erecting poles, hanging or burying wires, cables, conduits, pipes or transformers, each with its necessary appurtenances together with the right of access and egress over adjacent land, the right to relocate and facilities within said easement and right-of-way areas, and the right to remove from said lands of trees or parts thereof, or other obstructions which endanger or may interfere with the efficiency of said lines or appurtenances thereto. It is agreed and understood that no buildings, concrete slabs, or walls will be placed within said easement area.

Any GPS monetary fees resulting from modifications required of GPS equipment located within said easement, due to grade changes or ground elevation alterations shall be charged to the person or persons deemed responsible for said grade changes or ground elevation alterations.

- NOTES:
1. ALL CORNERS ARE 1/2" IRON ROD WITH YELLOW CAP MARKED PAPE-DAWSON UNLESS OTHERWISE NOTED.
 2. MONUMENTATION IS BASED ON THOSE FOUND ON GROUND.
 3. BEARINGS FOR THIS SURVEY ARE BASED ON THOSE OF ALAMO CEMENT UNITS 3A AS RECORDED IN VOL. 9525, PGS. 152-155 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.
 4. NAD83 COORDINATES WERE DERIVED FROM LOCKHILL 2 (P.L.D. #440967) AND MILLER (P.L.D. #440121). DIMENSIONS SHOWN ARE SURFACE AND THE SCALE FACTOR IS 0.9999673. BEARINGS SHOWN MUST BE ROTATED 0.02257' COUNTER CLOCKWISE TO MATCH NAD83.
 5. MINIMUM SITE ELEVATIONS SHALL BE 738.79 FOR THE SOUTH WEST CORNER AND 737.35 FOR THE SOUTH EAST CORNER.



STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, AND TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE, EXCEPT FOR THOSE VARIANCES THAT MAY HAVE BEEN GRANTED BY THE PLANNING COMMISSION OF THE CITY.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 20th DAY OF December
A.D. 1999

Notary Public Seal
NOTARY PUBLIC
BEXAR COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BEXAR

THE OWNER OF THE LAND SHOWN ON THIS PLAT IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC HEREIN ALL STREETS, ALLEYS, PARKS, WATER-COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

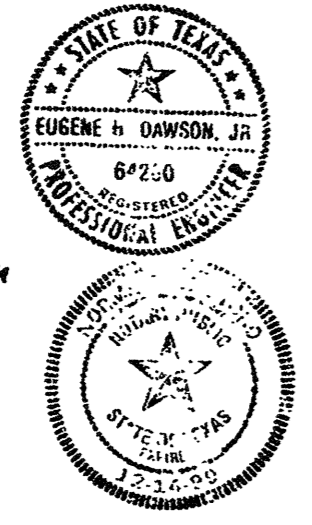
Owner Signature
OWNER

STATE OF TEXAS
COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED *Patricia W. Smith*, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 19th DAY OF December, A.D. 1999

Notary Public Seal
NOTARY PUBLIC
BEXAR COUNTY, TEXAS

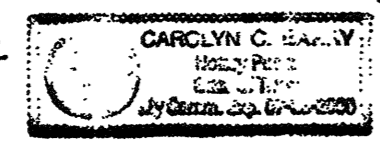


REPLAT
REPLAT ESTABLISHING
ALAMO CEMENT UNIT 3K

A 1.280 acre or 55,760 square feet, out of Lots 61-63, N.C.B. 11883 as recorded in the Resubdivision Plat of Olmos Park Heights, Volume 4500 page 139 of the Deed and Plat Records of Bexar County, Texas and out of Lot 3-C as recorded in the Subdivision Plat of Olmos Park Heights, Volume 3700 page 189 of the Deed and Plat Records of Bexar County, Texas

THIS PLAT OF ALAMO CEMENT UNIT 3K HAS BEEN SUBMITTED TO THE CITY OF SAN ANTONIO, TEXAS, AND IS HEREBY APPROVED BY THE DIRECTOR OF PLANNING IN ACCORDANCE WITH V.T.C.A., LOCAL GOVERNMENT CODE SECTION 212.0085.

DATED THIS 16th DAY OF JAN, A.D. 1999



BY: *Roberta W. Johnson* for *W.D. PAPE-DAWSON & ASSOCIATES, INC.*
DIRECTOR OF PLANNING



STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

Notary Public Seal
NOTARY PUBLIC
BEXAR COUNTY, TEXAS

SWORN TO AND SUBSCRIBED BEFORE ME THIS 20th DAY OF December
A.D. 1999

Notary Public Seal
NOTARY PUBLIC
BEXAR COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BEXAR

DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE 20th DAY OF Dec, A.D. 1999, AT 2:15 P.M. AND DULY RECORDED THE 20th DAY OF Dec, A.D. 1999, AT 10:15 A.M. IN THE RECORDS OF IN BOOK VOLUME 9545 ON PAGE 173 OF SAID COUNTY.

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS 20th DAY OF December, A.D. 1999



COUNTY CLERK, BEXAR COUNTY, TEXAS
BY: *John A. Pineda*, DEPUTY

VRP # 04-08-171

Permit File # 04-08-171



DEPT. OF PLANNING
OFFICE OF DIRECTOR

City of San Antonio

Aug 31 PM 12:07 Development Services Department

Vested Rights Permit/Consent Agreement APPLICATION

RECEIVED

04 AUG 31 AM 10:45

LAND DEVELOPMENT
SERVICES DIVISION

Permit File: # 04-08-171
Assigned by city staff

Date: August 30, 2004

☒ Vested Rights Permit

☐ Consent Agreement

1. All applicable information on application must be legibly printed or typed for processing. If application is completed on behalf of the property owner please attach power of attorney or letter of agent.
2. Please complete subject of application and attach 2 sets of all applicable documents (i.e. this application, Master Development Plan, P.U.D. plan, plat application, approved plat, building permit) along with appropriate fee.

*Note: All Applications must comply with the Unified Development Code (UDC),
Section 35-B124 Vested Rights Determination for the City of San Antonio.*

(a) Owner/Agent: John Douglas

Phone: (210) 829-7141 Fax: _____

Address: 243 W. Sunset

City: San Antonio State: Tx Zip code: 78209

Engineer/Surveyor: Macina, Bose, Copeland and Associates, Inc.

Address: 1035 Central Parkway North

City: San Antonio State: Texas Zip code: 78232

Name of Project: SUNSET RETAIL CENTER

(b) (k) Site location or address of Project and Legal description:

S.E. corner of Sunset and Treeline Park

Address: 400 Sunset Road W.

Legal Description: Lot 69, N.C.B. 11883

8/30/04

PA137326746 SUNSET RETAIL LETTERS\26746 VRP 082404.doc

Council District 9 ETJ Y Over Edward's Aquifer Recharge? () yes (X) no

3. What is ~~the specific Project~~ and the expected use(s) to be created by this Project (type of development, number of buildings, type of building(s), specific use(s) of those buildings, etc.)? *Please be aware that the city must understand exactly what this Project is expected to accomplish in order to evaluate this application.*

(d) Total land use, in square feet 55,760 S.F.

(e) Total area of impervious surface, in square feet 44,608 S.F.

(f) Number of residential dwellings units, by type; 0

(g) Type and amount of non-residential square footage; 55,760 S.F.

(h) Phases of the development, (If Applicable); N/A

4. What is the date the applicant claims rights vested for this Project? January 16, 1997

(i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for vested rights or equitable estoppel is based;

In addition to the required processing as set forth above, an Application for Consent Agreement Approval shall include, but shall not be limited to the following: a timing and phasing plan for the proposed development; a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed; and the conditions under which approvals or permits will lapse or may be revoked. A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."

4 a. What, if any, construction or related actions have taken place on the property since that date?

No construction has taken place

5. By what means does the applicant claim rights vested for this Project? *Please specify all that may be applicable.*

• **PERMIT**

Type of Permit: _____ Date of Application: _____

Permit Number: _____ Date issued: _____

Expiration Date: _____ Acreage: _____

CITY OF SAN ANTONIO
DEPT. OF PLANNING
OFFICE OF DIRECTOR

• **MASTER DEVELOPMENT PLAN (MDP)** (Formerly POADP)*

accepted prior to September 1, 1997 are subject to permit right conditions within 18 months from the effective date of the development rights ordinance (9/25/97) and projects submitted after September 1, 1997 are subject to 18 months for the POADP acceptance date.

Name: _____ # _____

Date accepted: _____ Expiration Date: _____ MDP Size: _____ acres

• **P.U.D. PLAN**

Name: _____ # _____

Date accepted: _____

• **Plat Application**

Plat Name: _____ Plat # _____ Acreage: 0.4

Date submitted: _____ Expiration Date: _____

(Note: Plat must be approved within 18 months of application submittal date).

• **Approved Plat**

Plat Name: Alamo Cement, Unit-3 Plat # 970063 Acreage: 1.280 Approval

Date: 01/16/1997 Plat recording Date: 12/29/1999 Expiration Date: _____ Vol./Pg. 9545/173

(Note: If plat is not recorded within 3 years of plat approval permit rights will expire).

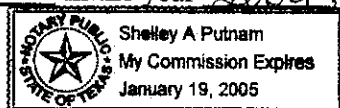
• **Other**

NOTE: Filing a knowingly false statement on this document, or any attached document, is a crime under §37.02 and §37.10 of the Texas Penal Code, punishable as a state jail felony by up to two years in jail and fine of up to \$10,000.

I hereby certify that all information this Application and the attached documents is true and correct and that it is my belief the property owner is entitled to Vested Rights for this Project.

Print name: John L. Douglas Signature: John L. Douglas Date: 8-27-04

Sworn to and subscribed before me by John L. Douglas on this 27th day of August in the year 2004, to certify which witness my hand and seal of office.



Shelley A. Putnam
Notary Public, State of Texas

City of San Antonio use

Permit File: # 04-08-171

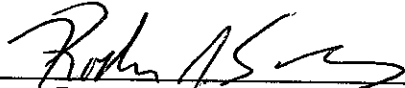
Assigned by city staff

Date: 9/28/04

☒ **Approved**

☐ **Disapproved**

Review By: _____



Development Services Department

Date: _____

Comments: Recommend that vested rights be approved effective January 16 1997 for commercial uses on the approximately 1.28 acres depicted in the application, provided that a specific project is identified. The application does not identify a project other than by square footage on the tract. If a project is identified that is a lawful use for the zoning that existing January 16, 1997, the project may be granted vested rights effective January 16, 1997.

This is NOT approval of non-conforming rights.



City of San Antonio
Development Services Department
Vested Rights Permit Application
Completeness Review



*Note: All Applications must comply with the Unified Development Code (UDC),
Section 35-B124 Vested Rights Determination for the City of San Antonio.*

Required Items: Section 35-B124, Vested Rights' Determination

An Application for a Vested Rights Determination shall be made by the Applicant on a form established for such purpose and provided by the City and shall contain at least the following information:

1. Appropriate filing fee.
2. Section 35-B124
 - (a) Name and address of Applicant;
 - (b) Project description and name of subdivision or development, if applicable;
 - (c) Location of development;
 - (d) Total land area, in square feet;
 - (e) Total area of impervious surface, in square feet;
 - (f) Number of residential dwelling units, by type;
 - (g) Type and amount of non-residential square footage;
 - (h) Phases of the development, if applicable;
 - (i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for vested rights or equitable estoppel is based;
 - (j) A Sworn Statement, in a form prescribed by the City, and signed by the Applicant; and
 - (k) A legal description of the Property

In addition to the required processing as set forth above, an Application for Consent Agreement Approval shall include, but shall not be limited to the following:

- a timing and phasing plan for the proposed development;
- a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed;
- and the conditions under which approvals or permits will lapse or may be revoked.

A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."

☒ Accepted

☐ Rejected

Completeness Review By: 

Date: 8/31/04

Security enhanced document. See back for details.

EUJODO LTD.

3707 N. ST. MARY'S
SAN ANTONIO, TX 78212
(210)737-8100



Frost National Bank
San Antonio, Texas 78296
www.frostbank.com

323

DATE 8-27-04

30-9/1140
61

PAY
TO THE
ORDER OF

City of San Antonio

\$ 160⁰⁰

One Hundred sixty and 00/100

DOLLARS

Security features
are indicated
Details on back.

THIS CHECK IS DELIVERED IN CONNECTION WITH THE FOLLOWING ACCOUNTS

John T. Dougherty

MP

⑈000323⑈ ⑆114000093⑆ 610188492⑈

CITY OF SAN ANTONIO
DEPT. OF PLANNING
OFFICE OF DIRECTOR
04 AUG 31 PM 12:07

REMIT TO:
CITY OF SAN ANTONIO
P.O. BOX 839975
SAN ANTONIO, TX 78283-3975

I N V O I C E
3217252

AMT ENCLOSED _____

AMOUNT DUE 160.00
INVOICE DATE 8/31/2004
DUE DATE 8/31/2004

50-04-5573
EUJODO LTD.
3707 N. ST. MARY'S
SAN ANTONIO, TX 78212

PHONE: (210) 737-8100

VESTED RIGHTS PERMIT
04-08-171

FACILITY LOCATION: 100 COMMERCE ST W

INVOICE DATE	INVOICE	ACCOUNT	DUE DATE	OFFICE HOURS
8/31/2004	3217252	50-04-5573	8/31/2004	7:45 - 4:30

LINE	INDEX REF	DESCRIPTION	AMOUNT
1	018838-001	DEVELOPMENT RIGHTS	160.00

MA# 3217252

EUJODO LTD.
3707 N. ST. MARY'S
SAN ANTONIO, TX 78212
(210) 737-8100

Frost National Bank
San Antonio, Texas 78296
www.frostbank.com

323

DATE 8-27-04

30-9/1140
61

PAY TO THE ORDER OF City of San Antonio

One Hundred sixty and 00/100

PAID
AUG 31 2004
MP#3

\$ 160.00

DOLLARS

THIS CHECK IS DELIVERED IN CONNECTION WITH THE FOLLOWING ACCOUNTS

0000323 1140000093 610188492

AGREEMENT DATES	SERVICE DATES	ORDINANCE	CONTRACT	DOCUMENT
ST:	08/30/2004		CK. #323	04-08-171
END	08/30/2004			

INVOICE INFORMATION	INVOICE AMT	PAYMENTS RECV	TOTAL INV AMT DUE
	160.00	0.00	160.00

CUSTOMER INFORMATION	OTHER AMTS DUE	TOTAL CUST AMT DUE

CITY OF SAN ANTONIO
DS-FOURTH FLOOR P.O. BOX 839975 SAN ANTONIO, TX 78283-3975

PAGE 1 OF 1